



GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

July 11, 2016

CERTIFIED RETURN RECEIPT
7013 2250 0000 2310 2484

Cliff Read
Rock & Stone, LLC
PO Box 1947
Park City, UT 84060

Subject: Re-Assessments for State Cessation Orders Nos. MC-2016-59-01, MC-2016-59-02, & MC-2016-59-03, Rock & Stone, LLC, Strawberry River Quarry, S/013/0008, Duchesne County, Utah

Response Due By: 30 Days of Receipt

Dear Mr. Read:

The undersigned has been appointed by the Division of Oil, Gas & Mining as the assessment officer for assessing penalties under R647-7.

On April 27, 2016, the Division sent you the proposed civil penalties for the referenced cessation orders of \$2,200, \$1,650.00 and \$3,410.00 respectively (for a total proposed assessment of \$7,260.00). The Division has **not** received a request for an informal or formal conference regarding the fact of the violations, or the proposed assessment. The time to file for such appeals has now lapsed and these fines are considered final.

In addition, because you have not abated the violations referenced in the Cessation Orders, you are now in a 'Failure to Abate' (FTA) situation. In addition to the proposed fines, the Division is now assessing the FTA Finding, which by rule requires a minimum fine of \$750.00 per day for each violation, until the abatement work is completed (or 30 days, which is the timeframe for preparing the civil penalty). Since it has been more than 30 days since the FTA began for the three referenced cessation orders, an additional \$22,500.00 is being assessed for each violation, for a total of \$67,500.00 for the FTA Finding assessment. Total of all fines is now \$74,760.00.



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You still have the right to appeal the FTA finding and the associated assessed penalty of \$22,500 for each of the three violations as noted below.

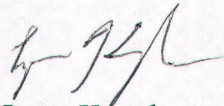
Under R647-7-106, there are two informal appeal options available to you. You may appeal the FTA Finding, the proposed civil penalty, or both. If you wish to informally appeal you should file a written request for an informal conference within thirty 30 days of receipt of this letter.

The informal conference will be conducted by a Division-appointed conference officer. The informal conference for the FTA Finding is distinct from the informal assessment conference regarding the proposed penalty.

The informal conference will be conducted by a Division-appointed conference officer. The informal conference for the FTA Finding is distinct from the informal assessment conference regarding the proposed penalty. If you wish to review both the FTA Finding and proposed penalty assessment, you should file a written request for an assessment conference within thirty (30) days of receipt of this letter. In this case, the assessment conference will be scheduled immediately following the review of the FTA Finding.

If a timely request for review is not made, the FTA Finding will stand, the proposed penalty will become final, and will be due and payable within thirty (30) days of the date of this proposed assessment (by August 12, 2016). Please remit payment to the Division, mail c/o Sheri Sasaki.

Sincerely,



Lynn Kunzler
Assessment Officer

LK: eb

cc: CJR Services, Registered Agent, 3200 West U-248, Park City, UT 84060 (CRR 7013 2250 0000 2310 2491)
Sheri Sasaki, Accounting w/enclosures
Vickie Southwick, Exec. Sec

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